

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

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2016 DEC 12 AM 10:17UNITED STATES DISTRICT COURT
District for the South Carolina

Andre Juste

Petitioner

v.

Correct Core Recovery Solutions
Columbus Regional Care Center
Respondent

(name of warden or authorized person having custody of petitioner)

Case No. 4:16-3575-MGL-JER
(Supplied by Clerk of Court)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Andre Juste
- (b) Other names you have used: _____
2. Place of confinement: _____
- (a) Name of institution: Buffalo Federal Detention Facility
- (b) Address: 4250 Federal Dr
Batavia New York 14020
- (c) Your identification number: 078-367-619
3. Are you currently being held on orders by:

☐ Federal authorities
 ☐ State authorities
 ☐ Other - explain: _____
4. Are you currently:

☐ A pretrial detainee (waiting for trial on criminal charges)
 ☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

 If you are currently serving a sentence, provide:

(a) Name and location of court that sentenced you: _____

(b) Docket number of criminal case: _____

(c) Date of sentencing: _____

☐ Being held on an immigration charge
 ☐ Other (explain): _____

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Decision or Action You Are Challenging

5. What are you challenging in this petition:

- ☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)
- ☐ Pretrial detention
- ☐ Immigration detention
- ☐ Detainer
- ☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- ☐ Disciplinary proceedings

☒ Other (explain): Unlawful Mental Health Treatment
Wrongful Housing at CRL, Wrongful Medication
Medication Involuntary treatment Mental Health care

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Correct Care Recovery Solutions
Columbia Region / Core Center 7901 Farrow Rd, SC 29203

(b) Docket number, case number, or opinion number: 2860409

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

Wrongful Medication, for Cible Medication, Abuse
Oral, Exaltation, Physical Abuse, anguishing
Mental Health Abuse

(d) Date of the decision or action: May 8, 2016, August 15, 2016, October 20, 2016

Your Earlier Challenges of the Decision or Action7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☒ Yes☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: U.S. District Ct

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: 16-7401-4; 16-W-02363 MGL

(4) Result: Pending - Dismissing Pending

(5) Date of result: _____

(6) Issues raised: Wrongful - adulteration with the Plaintiff
Equal ten plating at the Plaintiff, Religious - Med
Chouros Assn L

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(b) If you answered "No," explain why you did not appeal: _____

8. Second appeal

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

9. Third appeal

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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(b) If you answered "No," explain why you did not file a third appeal:

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes

☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes

☐ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: Sept 23, 2015
- (b) Date of the removal or reinstatement order: January 26, 2016
- (c) Did you file an appeal with the Board of Immigration Appeals?

☒ Yes☐ No

If "Yes," provide:

- (1) Date of filing: March 28, 2016
- (2) Case number: 078-367-619
- (3) Result: Sent back to Immigration Court Batavia, NY 14020
- (4) Date of result: Pending
- (5) Issues raised: Wrongful Detention, Unlawful Prolonging Detention More than Six Months, Wrongful Unlawful Removal

- (d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes☒ No

If "Yes," provide:

- (1) Name of court: _____
- (2) Date of filing: _____
- (3) Case number: _____

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(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes ☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE:

ON May 8, 2016 approximated
the Appellant was being held and at CRU with
out consent and also involuntary into mental

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(a) Supporting facts (Be brief. Do not cite cases or law.):

Health care treatment where the Appellant did NOT consent to be treated under NO kind of circumstances without being Voluntary and was wrongly kept and where Appellant Name was also forged on infringing on all document

(b) Did you present Ground One in all appeals that were available to you?

☒ Yes☐ No

GROUND TWO: ON May 14, 2016 Appellant was being forcibly to be taking medication with NO proper proceeding of violating the Appellant fourteenth Amendment Substantive Due Process clause

(a) Supporting facts (Be brief. Do not cite cases or law.):

Above the date Appellant was having been unlawfully medicated with NO Voluntary Proceeding with NO incident report from the DC PO was reporting any other reporting was NOT taking in where this respondent violated the Appellant Constitutional Rights Substantive Forcibly Process

(b) Did you present Ground Two in all appeals that were available to you?

☒ Yes☐ No

GROUND THREE: ON September August 15, 2016 Respondents over kept wrongfully the Appellant over time with NO proper proceeding, during the length of short term where the respondents were forcibly having been held Appellant

(a) Supporting facts (Be brief. Do not cite cases or law.):

from 9/15/2016 the respondents continuing held the Appellant with a long term in short term under wrongfully detaining mental health care was falsified treatment with GEL in a second time under the abduction and retention the Appellant and concealing under wrongful treat mental health care treatment that the Appellant was refusing

(b) Did you present Ground Three in all appeals that were available to you?

☒ Yes☐ No

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GROUND FOUR: October 20, 2016 is third time the Respondent was having been over held violating the correct care delivery solutions - ERIC Patient Hand book and Patient Rights. Responsibility being wrongful medicated Appellant

(a) Supporting facts (Be brief. Do not cite cases or law.):

Respondent was having been constantly willfully medicated the Appellant under the un worked Medication for a biologically prescribed held as Patient Mental health Patient with all being properly. Respondent violated several Patient Rights + Responsibility, Procedure of the Appellant Refuse Mental Health care treatment

(b) Did you present Ground Four in all appeals that were available to you?

☒ Yes

☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do:

I Sought Enjoining Permanent Injunction against correct care delivery solutions and Columbia Regional Care center, and Compensation damage, Punitive damage in amount of \$4,000,000.00

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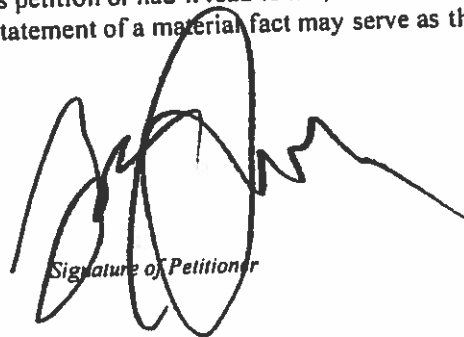
Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

December 5, 2016

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: December 5, 2016



Signature of Petitioner

Signature of Attorney or other authorized person, if any